

APPEAL NO. 031533
FILED JULY 22, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 14, 2003. With respect to the issue before her, the hearing officer determined that the respondent's (claimant) _____, compensable injury extends to include the cervical spine, in addition to the right shoulder. The appellant (carrier) appeals that determination. In his response, the claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, includes an injury to the cervical spine in addition to the right shoulder. That issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained his burden of proving that he injured his cervical spine lifting a piece of luggage onto a conveyor belt. The factors emphasized by the carrier in challenging the hearing officer's extent-of-injury determination on appeal are the same factors it emphasized at the hearing. The significance, if any, of those factors was a matter for the hearing officer in resolving the issues before her. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We briefly address the carrier's contention that the hearing officer did not consider all of the evidence in reaching her decision. Specifically, the carrier contends that the Texas Workers' Compensation Commission-appointed required medical examination doctor's report (Carrier's Exhibit No. 1) was not considered. We note that the hearing officer is not required to detail all of the evidence in her decision. See Texas Workers' Compensation Commission Appeal No. 93164, decided April 19, 1993 (Unpublished), and cases cited therein. We are satisfied that, as she states in her decision, the hearing officer based her findings of fact and conclusions of law on all of the evidence presented, despite the fact that a particular piece of evidence was not specifically discussed in the decision.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750
AUSTIN, TEXAS 78701.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Margaret L. Turner
Appeals Judge